

Martyn's Law for FM Providers

Understanding the "Responsible Person" Role in Practice

Introduction

Following the publication of the Statutory Guidance for the **Terrorism (Protection of Premises) Act 2025 (Martyn's Law)** in April 2026, we have been reviewing what this means in practical terms for facilities management organisations and their clients.

While much of the early discussion around the Act focused on occupiers and venue operators, the guidance provides important clarification on **how responsibility is determined in practice**.

The key point

One of the most important clarifications is this:

*The "Responsible Person" is defined by **control of the premises**, not ownership or contractual position.*

In many cases, this means that FM providers may sit closer to that definition than originally expected, particularly where they:

- Manage common areas or overall site operations
- Control access, egress, or aspects of site security
- Coordinate multiple occupiers within a single location

What this means in practice

Across many FM-led environments—such as shopping centres, mixed-use developments, and managed estates:

- Responsibility may rest with the organisation that **controls how the site operates day to day**
- This can include the **FM company or managing agent**, rather than solely the landlord or individual tenants

This will not apply in every case, but it is a **more common outcome than initial interpretations may have suggested**.

This is not about shifting risk—it's about clarifying roles

It is important to emphasise:

- The Act does not introduce disproportionate or unrealistic expectations
- It is built around proportionality and reasonable practicability
- It does not mandate specific security measures or blanket approaches

Instead, organisations are expected to:

- Understand how their sites operate
- Put in place proportionate arrangements to protect people
- Be able to explain and justify those arrangements



Where FM organisations add real value

This clarification reinforces the position FM providers already hold operationally.

In many cases, FM teams are best placed to:

- Coordinate site-wide procedures (e.g. evacuation, lockdown, communication)
- Align multiple stakeholders across a site
- Ensure consistency in how risks are managed in practice

In effect, Martyn's Law formalises and strengthens elements of **good, integrated site management**.



What we recommend at this stage

Rather than focusing on roles in isolation, we recommend that organisations:

- Review **who has operational control across their estate**
- Map how responsibilities are applied in practice across sites
- Identify where coordination is required between different parties
- Begin considering how procedures will operate in a real-world scenario

At this stage, this is less about immediate change, and more about

Our approach

We are currently reviewing the Statutory Guidance in detail and assessing its practical implications across different operating models, particularly in relation to how the “Responsible Person” role applies in real-world FM-led environments.

At this stage, our focus is on building a clear, consistent interpretation of how the legislation is likely to be applied in practice, including where responsibilities may sit across complex, multi-occupied sites.

As this develops, we will be identifying where there are clear opportunities for organisations to strengthen their approach, and where targeted support may add the most value in helping clients respond confidently and proportionately.

Closing message

The publication of the Statutory Guidance provides greater clarity, but also reinforces the underlying principle of the Act:

This is a proportionate, risk-based framework—not a prescriptive security regime.

With a structured and considered approach, FM organisations are well placed to respond effectively. The immediate priority is not to implement wholesale change, but to ensure there is clear understanding of responsibility, supported by practical and workable arrangements.

As the position continues to develop, maintaining clarity and confidence in how this is applied across your estate will be key.